

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTOPHER WELLS, Petitioner,
v.
CENTRAL DISTRICT COURT OF APPEAL, Respondent. } Case No. CV 15-6547 VAP(JC)
} ORDER (1) DIRECTING CLERK TO FILE PETITIONER'S MOTION; (2) GRANTING PETITIONER'S MOTION; (3) DISMISSING PETITION AND ACTION WITHOUT PREJUDICE; AND (4) DIRECTING CLERK TO SEND PETITION TO PETITIONER

On August 20, 2015, petitioner, who is currently housed at the High Desert State Prison in Susanville, California, within the Eastern District of California, filed a Petition for Writ of Habeas Corpus by a Person in State Custody (“Petition”). On September 22, 2015, the Clerk received a letter from petitioner, dated September 15, 2015, in which petitioner indicates that the Petition was sent to this Court in error and that petitioner “wish[es] to dismiss this Petition . . . without prejudice” and requests that the Petition be sent back to him (“Petitioner’s Motion”).

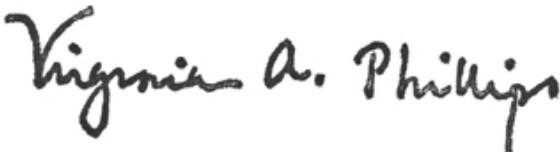
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1 In light of the foregoing, IT IS HEREBY ORDERED:

- 2 1. The Clerk is directed to file Petitioner's Motion.
- 3 2. Petitioner's Motion is granted.
- 4 3. The Petition and this action are dismissed without prejudice.¹
- 5 4. The Clerk is directed to send a copy of the Petition and this Order to
- 6 petitioner.

7 IT IS SO ORDERED.

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DATED: September 25, 2015

10 HONORABLE VIRGINIA A. PHILLIPS
11 UNITED STATES DISTRICT JUDGE

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27 ¹This Court has made no assessment as to whether the instant Petition (or any future
28 petition that petitioner may elect to file) is barred by the statute of limitations or is otherwise
procedurally barred.